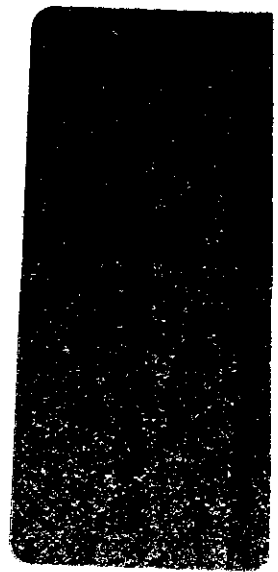


04-70

FIRST CLASS MAIL

Erin A. McLaughlin, Esq.
Federal Communications Commission
445 12th Street S.W.
Washington, DC
20554

RECEIVED & INSPECTED
MAY 25 2004
FCC - MAILROOM



DOCKET FILE COPY ORIGINAL

04-70

May 17, 2004

Sent Via Regular Mail

Erin A. McGrath, Esq.
Federal Communications Commission
445 12th Street S.W.
Washington, DC 20554

Ms. Marian R. Bruno, Esq.
Assistant Director
Bureau of Competition
Federal Trade Commission
600 Pennsylvania Ave., N.W.
Washington, DC, 20580

Hewitt Pate, Esq.
Assistant Attorney General for Antitrust
950 Pennsylvania Avenue, N.W.
Washington, DC, 20530

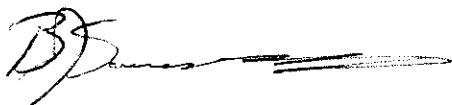
Jan M. Zavislan, Esq.
Deputy Attorney General
Office of the Attorney General of Colorado
Consumer Protection Section
1525 Sherman Street, 5th Floor
Denver, CO. 80203

Re: AT&T Wireless

Dear Consumer Advocates:

Enclosed please find correspondence submitted to AT&T Wireless regarding its failure to resolve significant issues with my account. It is clear that AT&T's recent aspirations of merging with other service providers has forced consumers to take a back seat, while AT&T pursues other priorities. Given the fact that AT&T represents that its recent merger dealings are beneficial to consumers, it seemed appropriate to inform you of their dealings with respect to my account, where their dealings have been anything but beneficial. If this is any indication of how other consumers will be treated with respect to AT&T's proposed merger, it should be of great concern to any review you might now be undertaking. Thank you for your dutiful efforts in this matter. If I can be of any further assistance you may contact me at 9949 Julian Ct. Westminster, Co. 80031.

Respectfully Submitted,



B.J. Sanchez

Enclosures

COPY

May 17, 2004

SENT VIA CERTIFIED MAIL

Gregory P. Landis, General Counsel
AT&T Wireless Services, Inc.
7277-164th Ave. NE, Building 1
Redmond Washington, 98052

J. Tucker Moodey
Executive Vice President
Customer Services
7277-164th Ave. NE, Building 1
Redmond Washington, 98052

Re: AT&T Wireless No. 303-250-8541; Wireless Acct. No. 31941543

Dear Gentlemen:

It is unfortunate that this letter is necessary, but it has become apparent that AT&T has lost interest in customer service and will continue to bill on the above referenced account in bad faith, despite the fact that this account was closed nearly three months ago and a settlement with respect to this dispute was accepted by AT&T. On February 14, 2004, when it became evident that AT&T was not able to fulfill its obligations under the contract, I notified AT&T to close my account immediately. (Reference the enclosed as previous correspondence I have submitted to AT&T in connection with this matter.) Unfortunately, AT&T did not discontinue service as requested. Several test phone calls were made by me subsequent to February 14, in an effort to determine an exact date for discontinued service. Unfortunately, AT&T refused to discontinue service as requested and has continued to bill the above referenced account.

Even though I had requested discontinuance of service and ceased using the phone, AT&T continues to bill the account, nearly four months later. After expending considerable time and effort attempting to close this account and experiencing significant distress over the continued billing for a phone I was no longer using, I decided that it was better to simply settle the dispute rather than continuing to fight; which I did by submitting a check to AT&T in full accord and satisfaction. Despite the fact that AT&T cashed the check I submitted in settlement of this dispute, I recently received another invoice from AT&T.

This **harassment and poor service** has caused me extreme distress and is causing severe consequential damages to me on a personal and business level. On the personal level, because AT&T has not discontinued service as requested it appears to everyone calling the number above that such number is still in use. On the business level, I have recently contacted several potential clients, who expressed that they had gone to other agents because I had not returned messages they left on my former voicemail. Unbeknownst to me, it was possible to leave such messages because AT&T had not acted upon my request to discontinue service and the phone was still active. Obviously, having ceased using the phone, I had no

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way of knowing that such messages could have been left. In order to mitigate any additional damages I will now start checking voicemail until such time as AT&T discontinues service as requested.

At this point, I do not intend to pursue recovery for the damages AT&T has already caused; I merely want AT&T to honor the previous settlement of this account. Cashing my check, which was submitted in full accord and satisfaction, and still continuing to bill under this account is clearly bad faith. **This is evidence that AT&T Wireless has such a tight grip on the customer that they control the wireless market in Denver. AT&T continues to hurt me and provide poor customer service despite repeated attempts for assistance and resolution.** If additional invoices are sent by AT&T or if attempts to extort additional fees related whatsoever to this account are undertaken I intend to pursue all necessary means to recover damages that I have suffered and continue to suffer as a result of AT&T's lack of interest in this matter.

Respectfully Submitted,

B.J. Sanchez

Enclosures

CC: Erin A. McGrath, Federal Communications Commission
Marian Bruno, Federal Trade Commission
Hewitt Pate, Assistant Attorney General for Antitrust (DOJ)
Jan M. Zavislan, Office of the Attorney General of Colorado, Consumer Protection Section

February 14, 2004

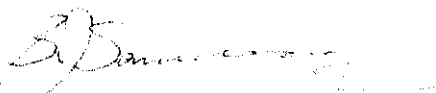
AT&T Wireless
P. O. Box 68055
Anaheim Hills, CA 92817-8055

Re: Wireless # 303-250-8541
Wireless Acct. No. 31941543

To whom it may concern:

Please close the account referenced above, effective immediately. I have attempted to contact customer service on several occasions and have been unable to reach a live person. AT&T misrepresented the coverage area for my account and I have had calls interrupted even in the metropolitan area of Denver where I live. I allowed AT&T significant time to resolve its issues; unfortunately, recent decline in service and support beyond acceptable levels necessitates the closing of this account.

Sincerely,


B.J. Sanchez

COPY

April 1, 2004

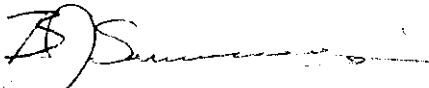
AT&T Wireless
PO Box 8229
Aurora, IL. 60572-8229

Re: Wireless #303-250-8541
Wireless Acct. No. 31941543

To whom it may concern:

Enclosed please find a copy of the letter I previously submitted to AT&T on February 14, 2004, effectively closing the above referenced account. This letter was sent after repeated attempts to contact AT&T's customer service via telephone and never reaching a live person despite waiting for significant periods of time. Despite my previous request AT&T has failed to close this account and continues to bill me. Had AT&T honored my request when originally made, service would have been discontinued and the charges, which AT&T has now billed me, \$139.98, would not exist. This amount is not owed to AT&T since cancellation of service occurred on or about February 14, 2004. However, in order to finally resolve this matter and end my relationship with AT&T I have enclosed with this letter a check (# 1023) in the amount of \$139.98 in full accord and satisfaction of any and all matters regarding this account.

Sincerely,



B.J. Sanchez

Enclosure